UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/22400
22 March 1991

ORIGINAL: ENGLISH

NOTE BY THE SECRETARY-GENERAL

The Secretary-General has received the attached letter from the President of the Security Council. In light of its final paragraph, he is circulating the letter herewith as a document of the Security Council for the attention of all States.

Annex

Letter dated 22 March 1991 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that the members of the Security Council, in consultations of the whole, held on 22 March 1991, took note of the following decision of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait, adopted at its 36th meeting, on 22 March 1991, with regard to the determination of humanitarian needs in Iraq:

"1. The Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait has carefully considered Under-Secretary-General Ahtisaari's report of 20 March 1991 on his recent visit to Iraq (S/22366), as well as the report of the ICRC of 19 March 1991 (S/AC.25/1991/COMM.102) summarizing the conclusions of its own delegation in Iraq.

"2. Under paragraph 5 of resolution 666 (1990), the Committee has the power to determine, after receiving all relevant reports and information, that circumstances have arisen in which there is an urgent humanitarian need to supply foodstuffs to Iraq in order to relieve human suffering; and in that event the Committee will report promptly to the Council its decision as to how such needs will be met.

"3. In the light of the new information available to it, the Committee has decided to make, with immediate effect, a general determination that humanitarian circumstances apply with respect to the entire civilian population of Iraq in all parts of Iraq's national territory. The Committee has also concluded that civilian and humanitarian imports to Iraq as identified in Mr. Ahtisaari's report are integrally related to the supply of foodstuffs and supplies intended strictly for medical purposes (which are exempt from sanctions under the provisions of resolution 661 (1990)) and that such imports should also be allowed with immediate effect.

"4. The Committee decides upon a simple notification procedure for foodstuffs supplied to Iraq and a no-objection procedure for those civilian and humanitarian imports (other than supplies intended strictly for medical purposes) described in the preceding paragraph.

"5. Subject to prior notification to the Committee of the flight and its contents, the Committee hereby gives general approval under paragraph 4 (b) of resolution 670 (1990) for all flights which carry only foodstuffs or supplies intended strictly for medical purposes. This procedure applies equally to the civilian and humanitarian imports referred to in paragraph 3 above, the supply of which is subject to the no-objection procedure laid down in paragraph 4.

"6. It notes with satisfaction that the Government of Iraq has assured Mr. Ahtisaari's mission that it would accept a system of monitoring of imports and their utilization. The Secretary-General is requested, in consultation with the Government of Iraq and the ICRC, to arrange for such a system of on the spot monitoring to proceed in conjunction with the despatch of United Nations personnel to Iraq to supervise the effective utilization, for the benefit of the civilian population in all areas, of all imports to be established under the responsibility of the United Nations."

I have the honour to request that you bring the above-mentioned decision to the attention of all States.

(Signed) Peter HOHENFELLNER
President of the Security Council